

REMARKS

In response to the Office Action dated January 26, 2006 (the "Action"), Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-5, 7-10, 13-17, and 21-23 were pending at the time of the Action. Claims 1, 4, 7, 8, 9, 13, 14, 21, and 23 have been amended, claims 24-29 have been added, and claims 3, 5, 10, 16, and 17 have been canceled without prejudice. Leaving claims 1, 2, 4, 7-9, 13-15, and 21-29 for consideration upon entry of the present remarks. No new matter has been introduced.

Claim Rejections Under 35 U.S.C. § 103(a)

As stated on page 2 of the Action, claims 1-5, 7-10, 13-17, and 21-23 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over a publication titled, "LASS: Putting the telephone customer in charge", by C. Brant Hirschman, Grant E. Swinehart, and Marie L. Todd, dated May 1985 (hereinafter, "Hirschman"), in view of U.S. Patent No. 5,436,957 to McConnell (hereinafter, "McConnell"), and further in view of U.S. Patent Application No. 2002/0085700 to Metcalf (hereinafter, "Metcalf"). Applicant respectfully traverses the stated rejection.

Turning to **independent claim 1**, without conceding the propriety of the stated rejections, and solely to advance the prosecution of this application, Applicant has amended claim 1 to clarify further features of the method.

Claim 1 defines a method for blocking future calls from a caller to a callee, and recites in part:

*“receiving a first instruction from the callee to access a service to block future calls from a telephone number associated with the caller to the callee;
providing at least one callee selection via a voice prompt responsive to the first instruction;
receiving a second instruction from the callee prior to an expiration of a predetermined time period;
receiving and identifying a telephone number to block associated with the caller;
storing the telephone number to block associated with the caller in a caller block table in a service data point (SDP); and
preventing, via a service switching point (SSP), one or more phone calls from the telephone number associated with the caller from being forwarded to a second telephone number associated with the callee; and
playing a callee-selected message back to the caller of the telephone number to block when the caller attempts to call the callee.”*

Applicant submits that the above revisions are fully supported under 35 U.S.C. §112, 1st paragraph, at least by page 9, lines 25-28, which references block 54 in Figure 2 of the Specification.

Applicant asserts that Hirschman, McConnell, and Metcalf fail to disclose, teach or suggest “receiving a second instruction from the callee prior to an expiration of a predetermined time period”, as recited in claim 1.

Turning to Metcalf, the Action cited column 4, paragraphs 0034 and 0038 of Metcalf, for the deficiencies of Hirschman. Without conceding that Metcalf provides the features for which it is cited, Applicant submits that Metcalf does not provide the features missing from Metcalf necessary to support a §103 rejection of claim 1. In particular, Metcalf neither discloses, teaches nor suggests “receiving a second instruction from the callee prior to an expiration of a predetermined time period”, as recited in claim 1.

Based at least on the foregoing, the Applicant submits that Hirschman, McConnell, and Metcalf, whether considered severally or in combination, do not support a §103

rejection of claim 1. Accordingly, the Applicant requests reconsideration and withdrawal of the stated §103 rejection of claim 1.

Claims 2, 4, and 7-9 depend from claim 1, and by virtue of this dependency, the above comments directed to claim 1 apply equally to claims 2, 4, and 7-9. Additionally, these claims recite features that, when taken together with those of claim 1, define methods not disclosed, taught or suggested by Hirschman, McConnell, and/or Metcalf.

Dependent claim 4 was amended to clarify features of the method for receiving and identifying the telephone number to block, recites in part, “identifying the telephone number using at least one of a reverse caller-ID technology and a reverse white pages look-up technology”.

Applicant submits that the aforementioned recited features of claim 4 are supported at least by page 10, lines 24-29 of the Specification.

In addition to the comments directed above to claim 1, from which claim 4 ultimately depends, Applicant submits that Hirschman, McConnell, and Metcalf, whether considered severally or in combination, fail to disclose, teach or suggest “using at least one of a reverse caller-ID technology and a reverse white pages look-up technology”, as recited in claim 4. Based at least on this additional basis, Applicant requests reconsideration and withdrawal of the §103 rejection of claim 4.

Dependent claim 9 was amended to clarify features of the method, which recites “prompting the callee to select a pre-recorded message to be played to the caller when the caller is blocked from placing a call to the callee, and further comprising enabling the callee to record the message in the callee’s own voice.”

Applicant submits that the above revisions are supported at least by page 11, lines 5-10 of the Specification, which references block 62 in Figure 2.

Claim 9 depends on claim 1 and is believed patentable over the references for at least the same reasons. Applicant requests reconsideration and withdrawal of the §103 rejection of claim 9.

Independent claim 13 has been amended to clarify features similar to claim 1, and hence benefits from the arguments directed above to claim 1. Applicant respectfully requests withdrawal of the §103 rejection of claim 13.

Claims 14 and 15 depend directly from independent claim 13, and are allowable for at least the reasons discussed above. Additionally, these claims recite features that, when taken together with those of claim 13, define telecommunications systems not disclosed, taught or suggested by Hirschman, McConnell, and Metcalf alone or in combination. Accordingly, for at least these reasons, the Applicant requests reconsideration and withdrawal of the rejections of these claims .

Dependent claim 14 has been amended to clarify features similar to claim 4, and benefits from the same arguments directed above to claim 4. Applicant respectfully requests withdrawal of the § 103 rejection of claim 14.

Turning to **independent claim 21**, without conceding the propriety of the stated §103 rejection, Applicant has amended claim 21 to clarify further features of the method. Claim 21 recites, in part:

*“sending a voice announcement to the callee if a second instruction is not received before a predetermined time period has expired;
enabling the user to manually identify a telephone number to block associated with the caller;”*

Applicant submits that the specification supports the foregoing revisions at least on page 9, lines 25-28 and references block 54 in Figure 2 of the Specification.

Applicant further submits that Hirschman, McConnell, or Metcalf whether considered severally or in combination, fail to teach or suggest the features recited in claim 21. In particular, Hirschman, McConnell, or Metcalf neither disclose, teach nor suggest "sending a voice announcement to the callee if a second instruction is not received before a predetermined time period has expired", as recited in claim 21.

Based at least on the foregoing, the Applicant respectfully requests withdrawal of the §103 rejection of claim 21.

Claims 22-23 depend from claim 21 and hence benefit from the argument directed above to claim 21. Applicant respectfully requests withdrawal of the rejection of these claims.

Dependent claim 23 has been amended to clarify features similar to claim 4, and benefits from the same arguments directed above to claim 4. Applicant respectfully requests withdrawal of the § 103 rejection of claim 23.


New claims 24-29 are added for consideration. Applicant submits that the new claims are fully supported under 35 U.S.C. §112, 1st paragraph. Claims 24 and 27 are supported at least by page 12, lines 10-11, claims 25 and 28 are supported at least by page 12, lines 14-16 and claims 26 and 29 are supported at least by page 12, lines 26-29.

Conclusion

Claims 1, 2, 4, 7-9, 13-15 and 21-29 are in condition for allowance. Applicant respectfully requests prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, the Office is requested to contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

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